

**REMARKS**

In the Office Action dated June 26, 2009, the Examiner rejected claims 22, 24, 25, 36, 38, 39, 45, 46, and 52 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,743,230 to Meyer ("*Meyer*"); rejected claims 22, 24, 36-39, 45-49, 52, and 55-57 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,707,536 to Meissner ("*Meissner*"); rejected claims 40-44 under 35 U.S.C. § 103(a) as being unpatentable over *Meyer* or *Meissner*; rejected claims 50 and 53 under 35 U.S.C. § 103(a) as being unpatentable over *Meissner* in view of U.S. Patent No. 3,155,612 to Weber ("*Weber*"); rejected claims 50 and 51 under 35 U.S.C. § 103(a) as being unpatentable over *Meissner* in view of U.S. Patent No. 4,787,987 to Hensley ("*Hensley*"); rejected claim 54 under 35 U.S.C. § 103(a) as being unpatentable over *Meissner*, in view of U.S. Patent No. 4,421,646 to Correge et al. ("*Correge*"), U.S. Patent No. 3,730,348 to Weis et al. ("*Weis*"), and U.S. Patent No. 3,317,044 to Marks ("*Marks*"); and rejected claims 25 and 58 under 35 U.S.C. § 103(a) as being unpatentable over *Meissner*, *Weber*, *Hensley*, *Marks*, and *Weiss*.

By this Reply, Applicant has amended claims 22 and 36. Claims 22, 24, 25, and 30-58 are currently pending in this application (claims 30-35 having been previously withdrawn by the Examiner). Amendments to independent claim 22 are supported by, for example, previous claim 36 and Fig. 2 of the specification. No new matter has been introduced by this Reply.

**REJECTIONS UNDER § 102(b)**

The Examiner rejected claims 22, 24, 25, 36, 38, 39, 45, 46, and 52 under 35 U.S.C. § 102(b) as being anticipated by *Meyer*. A claim is anticipated under § 102 only “if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” M.P.E.P. § 2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicant submits that the § 102 rejection should be withdrawn because *Meyer* does not disclose each and every element of the claims.

*Meyer* discloses a manifold for water conditioning and filtering units. Specifically, *Meyer* discloses “filtering unit 10 including a tank 11 . . . and provided with a head or top 12, a bottom 13 and a supporting base 14.” (Col. 3, lines 9-13.) *Meyer* further discloses an inlet manifold 21 that is “formed or provided with a substantially horizontal portion or leg having multiple and relatively closely spaced narrow slots or openings 22 and an upturned or upwardly 40 projecting leg 23 open at its upper end 24 for the uninterrupted passage of water.” (Col. 3, lines 38-42.)

As described above and seen in Fig. 1 of *Meyer*, manifold 21 is arranged perpendicular to the longitudinal dimension of tank 11. Therefore, *Meyer* does not disclose a “hollow body [having] a centre axis, said centre axis of the hollow body being arranged substantially parallel to a longitudinal dimension of the inner space,” as recited in amended independent claim 22. Accordingly, *Meyer* does not disclose each and every element of amended independent claim 22 and the Examiner should withdraw the § 102 rejection.

For at least the aforementioned reasons, independent claim 22 should be allowed. Additionally, claims 24, 25, 36, 38, 39, 45, 46, and 52 should be allowed due at least to their dependence from independent claim 22 and their recitations of additional patentable subject matter.

Claims 22, 24, 36-39, 45-49, 52, and 55-57 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Meissner*. Applicant respectfully traverses this rejection.

*Meissner* discloses a resin filter cartridge. Specifically, *Meissner* discloses an "outlet passage 115," an "inlet passage 175," a "screen 135," and a "fixed septum 150." (See, e.g., Fig. 5, and col. 5, lines 25-49.) Regarding amended independent claim 22, the Examiner contends that *Meissner* discloses "a cartridge (15) including: an inner space, an inlet (115) formed at a first end of the cartridge, an outlet (175) formed at a second end of the cartridge and a device (150) comprising a hollow body . . . the first end of the hollow body being mounted to the cartridge at the inlet." (Office Action at 4.) Applicant disagrees.

As can be seen in Fig. 5, the fixed septum 150, which the Examiner contends corresponds to the claimed hollow body, is located at the outlet passage 115. In contrast, amended independent claim 22 recites "an inlet formed at a first end of the cartridge . . . an outlet formed at a second end of the cartridge . . . and a device comprising a hollow body . . . having a first end and a second end . . . said first end of the hollow body being mounted to the cartridge at the inlet." Thus, *Meissner* does not disclose each and every element of amended independent claim 22.

Regarding independent claim 55, the Examiner contends that *Meissner* discloses "a cartridge (15) including: an inner space, an inlet (115) located at a first end of the cartridge, an outlet (175), a device (150) comprising a hollow body . . . and a filter (135) arranged at the outlet, wherein the filter is a planar filter (fig. 2, 5)." (Office Action at 5.) Applicant disagrees.

As can be seen in Fig. 5, the screen 135 of *Meissner*, which the Examiner contends corresponds to the claimed filter, is located near the inlet passage 175. In contrast, independent claim 55 recites "[an] inlet being located at a first end of the cartridge; an outlet arranged to permit the discharge of liquid from the inner space . . . [and] a filter arranged at the outlet, wherein the filter is a planar filter." Thus, *Meissner* does not disclose each and every element of independent claim 55.

Accordingly, for at least the reasons discussed above, amended independent claim 22 and independent claim 55 are allowable over *Meissner*. Moreover, claims 24, 36-39, 45-49, 52, and 56-57, should be allowed at least due to their dependence from one of independent claims 22 or 55 and due to their recitations of additional patentable subject matter.

#### **REJECTIONS UNDER § 103(a)**

Claims 40-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Meyer* or *Meissner*. In this rejection the Examiner contends that "[t]he only difference between the prior art and the claims is a recitations [sic] of relative dimensions." (Office Action at 6.) Even if the Examiner is correct, which Applicant does not concede, neither *Meyer* nor *Meissner* discloses or suggests each and every feature of allowable

independent claim 22, from which claims 40-44 depend (see discussion above). For at least this reason the Examiner should withdraw the rejection of claims 40-44 and allow the claims.

The Examiner rejected claims 50 and 53 under 35 U.S.C. § 103(a) as being unpatentable over *Meissner* in view of *Weber*. The Examiner relies on *Weber* for its alleged disclosure of “the wall portion [being] substantially planar.” (Office Action at 6.) However, *Weber* does not remedy the above-mentioned deficiencies of *Meissner* with respect to allowable independent claim 22, from which claims 50 and 53 depend. Thus, for at least this reason the Examiner should withdraw the rejections of claims 50 and 53 and allow the claims.

Claims 50 and 51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Meissner* in view of *Hensley*. The Examiner relies on *Hensley* for its alleged disclosure of “the wall portion [being] substantially planar.” (Office Action at 7.) However, *Hensley* does not remedy the above-mentioned deficiencies of *Meissner* with respect to allowable independent claim 22, from which claims 50 and 53 depend. For at least this reason the Examiner should withdraw the rejections of claims 50 and 51 and allow the claims.

Claim 54 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Meissner*, in view of *Correge*, *Weis*, and *Marks*. The Examiner relies on *Correge*, *Weis*, and *Marks* for their alleged disclosure of changing the cross section of the slit over the length of the slit. (See Office Action at 8.) Applicant disagrees with the Examiner's characterization of these references. However, regardless of the Examiner's interpretation of these references, Applicant submits that, *Correge*, *Weis*, and *Marks* do

not remedy the above-mentioned deficiencies of *Meissner* with respect to allowable independent claim 22, from which claim 54 depends. Accordingly, for at least this reason the Examiner should withdraw the rejection of claim 54 and allow the claim.

Finally, the Examiner rejected claims 25 and 58 under 35 U.S.C. § 103(a) as being unpatentable over *Meissner*, *Weber*, *Hensley*, *Marks*, and *Weiss*.

The Examiner contends that "[t]he claim limitation of a slit shaped opening is merely a change in the shape of the opening of the filter . . . [and] [a]ll of the prior art cited teach a filter having the claimed shape of s [sic] slit shaped opening." (Office Action at 9.) Applicant disagrees with the Examiner's characterization of these references. However, regardless of the Examiner's interpretation of these references, Applicant submits that, *Weber*, *Hensley*, *Marks*, and *Weiss* do not remedy the above-mentioned deficiencies of *Meissner* with respect to allowable independent claim 22, from which claim 25 depends, or allowable independent claim 55, from which claim 58 depends. Accordingly, for at least this reason the Examiner should withdraw the rejection of claims 25 and 58 and allow the claims.

## **CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 1, 2009

By: /Aaron L. Parker/

Aaron L. Parker  
Reg. No. 50,785